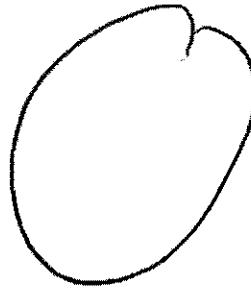


XON

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA



MAZI GOLA,
d/b/a NEW YORK DIAMOND EXCHANGE

: CIVIL ACTION

v.

:

CITY OF PHILADELPHIA, DEPARTMENT OF
LICENSES AND INSPECTIONS

and

DOMINIC J. VERDI

and

OFFICER JOSEPH MURRAY

and

PHILADELPHIA POLICE DEPARTMENT

and

DETECTIVE THOMAS SWEENEY

and

EDWARD A. RUST, t/a

CENTER CITY METALS, LLC.

: NO. 09-5037

FILED

JUN 20 2012

MICHAEL E. KUNZ, Clerk
BY _____ Dep. Clerk

ORDER

AND NOW, this 20 day of June, 2012:

1. Plaintiff's motion for partial summary judgment with respect to Counts I, V and VI of the amended complaint is DENIED.
2. Defendants' motion to dismiss is GRANTED with respect to Counts I, V and VI and Counts I, V and VI of the amended complaint are DISMISSED.
3. In all other respects defendants' motion to dismiss is DENIED.
4. The amended complaint against the Department of Licenses and Inspections and the Philadelphia Police Department is DISMISSED as those Departments are not suable entities. The City of Philadelphia is substituted for those Departments.

5. The City of Philadelphia, Dominic Verdi, Joseph Murray and Thomas Sweeney shall file answers to the claims remaining in the amended complaint on or before July 6, 2012.
6. Also on or before July 6, 2012, plaintiff and defendants shall agree upon a revised discovery schedule and submit same to the Court for approval.
7. The parties should notify my Deputy Clerk Mr. Ervin, #267-299-7559, if a settlement conference before Magistrate Judge Restrepo would be helpful.

T N O'Neill
THOMAS N. O'NEILL, JR. J.

6/20/2012
ENTERED
6/20/2012 2012
Phila Clerk of Court
Court